

STEPHANIE M. HINDS (CABN 154284)
United States Attorney

THOMAS A. COLTHURST (CABN 99493)
Chief, Criminal Division

ALEXANDRA SHEPARD (CABN 205143)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-6767
FAX: (415) 436-7234
alexandra.shepard@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 4:21-MJ-71091-MAG
)	
Plaintiff,)	STIPULATION AND ORDER CONTINUING
)	PRELIMINARY HEARING OR
v.)	ARRAIGNMENT AND EXCLUDING RULE 5
)	AND SPEEDY TRIAL TIME
ALIREZA MOHEB,)	
KEVIN RAMIREZ,)	
)	
Defendants.)	

1 On July 2, 2021, the Court conducted an initial appearance for defendant Moheb, and on July 7,
2 2021, the Court conducted an initial appearance for defendant Ramirez, both of whom stand charged by
3 Complaint with narcotics charges in violation of Title 21, United States Code. The matter is currently
4 scheduled for either a preliminary hearing or arraignment on January 7, 2022. The government has
5 produced discovery which defense counsel is in the process of reviewing and discussing with their
6 clients. The parties are hopeful that they can reach pre-indictment resolutions, but require additional
7 time to discuss and potentially finalize any such agreements.

8 Therefore, the parties hereby stipulate and agree:

- 9 1. The preliminary hearing/arraignment scheduled for January 7, 2022 should be continued
10 to February 11, 2022 at 10:00 a.m. before the duty magistrate judge. There is “good
11 cause” for such a continuance. 18 U.S.C. § 3142(f)(2).
- 12 2. The time between January 7, 2022 and February 11, 2022 should be excluded under the
13 Speedy Trial Act because failure to grant the requested continuance would deny defense
14 counsel the reasonable time necessary for effective preparation, taking into account the
15 exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The ends of justice served
16 by granting the requested continuance outweigh the best interests of the public and the
17 defendant in a speedy trial and in the prompt disposition of criminal cases. *See* 18 U.S.C.
18 § 3161(h)(7)(A).
- 19 3. Taking into account the public interest in the prompt disposition of criminal cases, there
20 is good cause to extend the time limits under Federal Rule of Criminal Procedure 5.1(c).
21 Accordingly, the time limits for conducting a preliminary hearing are tolled from January
22 7, 2022 through February 11, 2022.

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1 IT IS SO STIPULATED.

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3 DATED: January 5, 2022

Respectfully submitted,

4 STEPHANIE M. HINDS
5 United States Attorney

6 */s/ Alexandra Shepard*

7 ALEXANDRA SHEPARD
8 Assistant United States Attorney

9 */s/ James Lassart*

10 JAMES LASSART
11 Counsel for Defendant AliReza Moheb

12 */s/ Roni Rotholz*

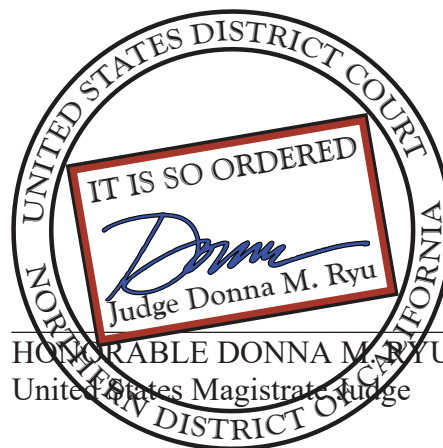
13 RONI ROTHOLZ
14 Counsel for Defendant Kevin Ramirez

ORDER

Based upon the representation of counsel and for good cause shown, the Court continues the arraignment/preliminary hearing currently scheduled for January 7, 2022 to February 11, 2022, and finds that failing to exclude the time between January 7, 2022 through February 11, 2022 would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time between January 7, 2022 and February 11, 2022 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. The Court also finds good cause for extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 and for extending the 30-day time period for an indictment under the Speedy Trial Act (based on the exclusions set forth above). *See* Fed. R. Crim. P. 5.1; 18 U.S.C. § 3161(b).

Therefore, IT IS HEREBY ORDERED that the time between January 7, 2022 and February 11, 2022 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) and Federal Rule of Criminal Procedure 5.1.

DATED: January 5, 2022



HONORABLE DONNA M. RYU
United States Magistrate Judge